

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-10467-RWZ

MATTER OF: VERDIEU BERNARD, PETITIONER

ORDER

March 17, 2005

ZOBEL, D.J.

Petitioner, by counsel, has filed a “Motion For Habeas Corpus Pursuant to 8 U.S.C. §2241(sic), Motion for Stay of Removal from United States of America.” The only other paper submitted is an original and a translation of a document describing an alleged shooting of petitioner’s mother in Haiti.

Petitioner alleges that he came to the United States from Haiti in May 2001 to escape political persecution by supporters of Jean Bertrand Aristide. Without providing any details, petitioner states that an “asylum petition was filed on ..[his]..behalf. The asylum petition was denied at the Immigration Court level, and then denied on appeal. A motion to re-open the Board of Immigration Appeal’s decision was denied, as well.” This recital allows no meaningful understanding of the procedural background of this case and therefore, makes impossible any determination of this Court’s jurisdiction to grant the relief requested assuming that the relief requested is a writ of habeas corpus under 28 U.S.C §2241.

Furthermore, without an understanding of petitioner’s current circumstances, the Court is in no position to evaluate the request for a stay of removal.

Finally, the petition does not name a respondent and none appears to have

been served.

Accordingly, if petitioner wishes to proceed with this matter counsel shall file a pleading that addresses these shortcomings, that provides adequate detail of the prior proceedings in the case, petitioner's current status together with any dates for execution of a removal order, and the name of the respondent.

March 17, 2005

DATE

/s/ Rya W. Zobel

RYA W. ZOBEL

UNITED STATES DISTRICT JUDGE